

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**TROUT POINT LODGE, LIMITED, A Nova Scotia
Limited Company; VAUGHN PERRET and
CHARLES LEARY**

PLAINTIFFS

VS.

CIVIL ACTION NO.: 1:14CV00241-LG-JMR

DOUG K. HANDSHOW

DEFENDANT

MOTION UNDER LOCAL RULE 16(b)1(A)

COME NOW, Trout Point Lodge, Limited, A Nova Scotia Company; Vaughn Perret and Charles Leary (hereinafter referred to collectively as "Plaintiff") and file this their *Motion Under Local Rule 16(b)1(A)* and in support thereof would show unto the Court the following:

1.

The Local Uniform Civil Rules of the United States District Courts for the Northern District and the Southern District of Mississippi [The Local Rules] 16(b)1(A) states "A motion to remand or a motion to refer an action to the bankruptcy court will stay the attorney conference and disclosure requirements and all discovery not relevant to the remand or referral issue and will stay the parties' obligation to make disclosures pending the court's ruling on the motions."

2.

Plaintiff filed a *Notice to Remand* on July 10, 2014 and a *Motion to Remand* on July 11, 2014, in the within cause of action.

3.

Plaintiff would show that this Court has not yet ruled on the *Notice to Remand* or the *Motion to Remand*.

4.

This Court should stay any and all actions, including the Rule 16 hearing, in the within cause of action until such time as there has been a ruling on the *Notice to Remand* and the *Motion to Remand*.

WHEREFORE, PREMISES CONSIDERED, Trout Point Lodge, Limited, A Nova Scotia Company; Vaughn Perret and Charles Leary respectfully request this Court to receive and file this their *Motion Under Local Rule 16(b)1(A)* and to let process issue in the time and manner required by law and upon a hearing on the merits enter an Order staying all actions with the within cause until such time as this Court has ruled on the *Notice to Remand* and the *Motion to Remand* filed in the within cause of action.

Plaintiff prays for general relief and as in duty bound will ever pray.

RESPECTFULLY SUBMITTED, this the 15th day of August, 2014.

/s/ M. Judith Barnett
M. JUDITH BARNETT

M. JUDITH BARNETT (MSB #99766)
JEANINE M. CARAFELLO (MSB #10487)
M. JUDITH BARNETT, P.A.
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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I, M. Judith Barnett, do hereby certify that I have this date served, via the ECF filing system, and United States mail, postage prepaid, a true and correct copy of the above and foregoing *Motion to Stay* to the following:

Douglas Handhoe
214 Corinth Drive
Bay St. Louis, MS 39520
earning04@gmail.com

SO CERTIFIED, this the 15th day of August, 2014.

/s/ M. Judith Barnett
M. JUDITH BARNETT